

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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|---------------------------------|----------|---|
| UNITED STATES OF AMERICA | : | CRIMINAL NO. _____ |
| v. | : | DATE FILED: _____ |
| RANDY THOMPSON | : | VIOLATIONS: |
| | : | 18 U.S.C. § 924(a)(1)(A) (making a false statement to a federal firearms licensee – 1 count) |
| | : | 18 U.S.C. § 922(g)(1) (possession of a firearm by a convicted felon - 1 count) |
| | : | 18 U.S.C. § 2 (aiding and abetting) |
| | : | Notice of forfeiture |

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

At all times material to this indictment:

1. The Firing Line, Inc., 1532 South Front Street, Philadelphia, Pennsylvania, possessed a federal firearms license (“FFL”) and was authorized to deal in firearms under federal laws.
2. FFL holders were licensed, among other things, to sell firearms and ammunition. Various rules and regulations, promulgated under the authority of Chapter 44, Title 18, United States Code, governed the manner in which FFL holders are permitted to sell firearms and ammunition.
3. The rules and regulations governing FFL holders require that a person

seeking to purchase a handgun fill out a Firearms Transaction Record, ATF Form 4473. Part of the Form 4473 requires that the prospective purchaser certify that all his or her answers on Form 4473 are true and correct. The Form 4473 requires the purchaser to answer questions about the purchase, including question 11a, “Are you the actual buyer of the firearm(s)? Warning: You are not the actual buyer if you are acquiring the firearm(s) on behalf of another person.” The Form 4473 also contains a warning, “[A]nswering “yes” to question 11a if I am not the actual buyer of the firearm is a crime punishable as a felony.”

4. A person who purchases a firearm for another person and falsely completes the Form 4473 is a “straw purchaser.” Acting as a straw purchaser is referred to as “lying and buying.”

5. FFL holders were required to maintain a record, in the form of a completed Form 4473, of the identity of the actual buyer of firearms sold by the FFL holder, to ensure that the person was not prohibited from purchasing a firearm.

6. Convicted felons are persons prohibited by law from buying firearms.

7. Defendant RANDY THOMPSON was a convicted felon prohibited by law from buying firearms.

8. On May 10, 2007, defendant RANDY THOMPSON, accompanied D.T., a person known to the grand jury, to The Firing Line where D.T. bought the firearm described below for defendant THOMPSON and falsely represented on ATF Form 4473 that he, D.T., was the actual buyer of the firearm.

9. Defendant RANDY THOMPSON paid D.T. for the firearm D.T. straw purchased for defendant THOMPSON, knowing that D.T. would assert on ATF Form 4473 that

he was buying the firearm for himself, although that was not true.

10. On or about May 10, 2007, in Philadelphia, in the Eastern District of Pennsylvania, defendant

RANDY THOMPSON,

in connection with the acquisition of a firearm, that is, a Smith & Wesson, 9 millimeter pistol, model number 6906, serial number TCA2721, knowingly made, and aided, abetted, and willfully caused, a false statement and representation to be made with respect to the information required by the provisions of Chapter 44, Title 18, United States Code, to be kept in the records of The Firing Line, a federally licensed firearms dealer, in that, at the direction of defendant THOMPSON, D.T., a person known to the grand jury (“the straw purchaser”), falsely represented on Department of Treasury Form 4473, Firearms Transaction Record, that he, D.T., was the actual buyer of the firearm, when in fact defendant THOMPSON and D.T. knew this representation to be false.

In violation of Title 18, United States Code, Section 924(a)(1)(A).

COUNT TWO

THE GRAND JURY FURTHER CHARGES THAT:

On or about May 10, 2007, in Philadelphia, in the Eastern District of
Pennsylvania, defendant

RANDY THOMPSON,

having been convicted in a court of the Commonwealth of Pennsylvania of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate commerce a firearm, that is, a Smith & Wesson, 9 millimeter pistol, model number 6906, serial number TCA2721.

In violation of Title 18, United States Code, Section 922(g)(1).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

As a result of the violations of Title 18, United States Code, Sections 924(a)(1)(A), 2, and 922(g)(1) set forth in this indictment, defendant

RANDY THOMPSON

shall forfeit to the United States of America the firearm involved in the commission of these offenses, including, but not limited to:

1. a Smith & Wesson, 9 millimeter pistol, model number 6906, serial number TCA2721.

All pursuant to Title 28, United States Code, Section 2461(c), and Title 18, United States Code, Section 924(d).

_____**A TRUE BILL:**_____

_____**GRAND JURY FOREPERSON**

PATRICK L. MEEHAN
UNITED STATES ATTORNEY